



PROBATION AND PAROLE BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: P&P 10-4	Subject: VICTIM RIGHTS and NOTIFICATION	
Reference: DOC 1.1.8 ; DOC 1.5.6 ; DOC 1.8.1 ; DOC 1.8.2 ; DOC 1.8.3 ; 2-15-112, MCA ; 41-5-1416, MCA ; 46-18-241, MCA ; 46-24-101,203, MCA ; 46-24-212, 213, MCA ; 53-1-203, MCA		Page 1 of 4
Effective Date: 06/01/00		Revision Dates: 11/01/01; 06/17/02; 03/14/03; 03/02/09
Signature / Title: /s/ Ron Alsbury		

I. BUREAU DIRECTIVE:

Probation & Parole Bureau employees will reflect the Department of Corrections' mission to support victims of crime and will treat victims with respect, dignity and sensitivity. Employees will become familiar and comply with applicable statutes, regulations, and policies regarding crime victim information and notification.

II. DEFINITIONS:

Advocacy – Writing, speaking or acting on behalf of crime victims.

Crime Victims Advisory Council – The volunteer board appointed by the Director of Department of Corrections (Department) composed of crime victims and others closely associated with crime victims. The council provides the Department with direction on policy and legislation affecting victims of felony crimes committed by adults.

Victim – The person against whom a felony crime has been committed or a family member of that person. Other individuals may be recognized as victims on a case-by-case basis.

Victim-Offender Dialogue (VOD) – A restorative justice program that brings together a victim and offender to discuss the crime and its effects under the direction of a trained facilitator.

Victim Information and Notification Everyday (VINE) – The Department's telephone and email notification system designed to provide custody status updates to victims whose adult offenders are in prison. VINE does not track offenders on probation, parole or in community corrections facilities, youth offenders, or federal inmates.

Victim Information Officer (VIO) – A Probation & Parole (P&P) Bureau employee, Regional Administrator (RA), P&P Bureau Chief, or designee who provides information and advocacy services to victims.

Victim Information Specialist (VIS) – A staff person in the Director's Office who manages the VINE system and Department programs for victims, serves as staff liaison for the Crime Victims Advisory Council, provides information and referrals, and represents victim interest in all Department matters.

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III. PROCEDURES:

A. Advocacy

The P&P Bureau (Bureau) will advocate on behalf of crime victims by:

- Promptly responding to victim requests for information about offenders under Department supervision;
- Helping probationers and parolees determine a payment schedule for court-ordered victim restitution;
- Referring victims to the VIS for information about participation in victim programs;
- Training employees to be responsive to victims' issues and needs; and
- Providing notification about offender custody status as required by statute.

B. Access to Information

P&P Officers (Officers) will provide information on offenders as authorized in *DOC 1.1.8 Media Relations*, *DOC 1.5.6 Offender Records Access and Release*, and §46-24-101, MCA.

Officers will advise victims that the VIO will respond to information requests and should obtain the victim's name, telephone number and a convenient time for the VIO to call back with information. The VIO may contact the Department VIS, communications director or the Legal Services Unit for guidance regarding information that can and cannot be released to the victim.

C. Statutory Notification

§46-24-212, MCA, requires the Department provide certain information about offenders to victims who request to be notified including date of discharge from prison, community in which the offender will reside after parole, escape/abscond from community supervision, recapture, decisions of the Board of Pardons and Parole, conditions of parole or other community supervision, and the offender's death.

When Officers have contact with victims through pre-sentence investigations, or when victims inquire about notification, Officers will provide *P&P 10-4(A) Victim Information*, *P&P 10-4(B) Victim Notification Form*, information about VINE and other Department program information that may be appropriate.

1. Notification Steps

Victims who wish to be notified about an offender's status are required to register with the Department. Once registration has been completed, the following steps will be followed:

- a. The offender case file "Victim Information" section will contain written documentation that a victim has registered.
- b. Officers may be asked to act as a VIO for victim notification as needed. All notifications will comply with the requirements in applicable policies, procedures and statutes.
- c. The offender case file will be annotated to reflect the following:
 - The date,
 - Name and contact information for the person(s) to be notified,

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- Staff person performing the notification,
- The information provided to the victim, and
- A copy of any notification letter.

2. Appeal

Notification to victims who have registered with the Department is statutorily required; therefore, offenders may not appeal any delay or other impairment of case decisions or actions resulting from the Bureau's efforts to meet its statutory obligation.

D. Automated Victim Notification

VINE is an automated victim notification system that provides current custody status information 24 hours a day about adult inmates in secure custody. VINE does not track offenders under community supervision. Victims and the public may register anonymously with VINE for automatic notification by telephone at (800) 456-3076 or via the internet at www.vinelink.com. The RA or designee shall ensure that all staff members are aware of the system and Officers can use, demonstrate and promote the use of the system to victims and the general public.

E. Crime Victims Advisory Counsel

The Department's Crime Victims Advisory Council helps to develop ways to establish a more effective relationship with crime victims that is responsive to their issues, needs and concerns. The VIS is the council's staff liaison and provides Department support.

F. Victim-Offender Dialogue

The Department adopted *DOC 1.8.2 Victim-Offender Dialogue (VOD)* in 2006 to provide victims an opportunity to begin healing from the traumatic effects of crime. VOD also helps offenders take responsibility for their actions and express remorse. Only victims can initiate the process and offenders participate voluntarily. VOD is preceded by intense preparation that typically takes 6-12 months. The VIS serves as the program manager and dialogues are facilitated by volunteers trained at the Department's expense. Officers are in a unique position to identify victims who may want to participate and are encouraged to refer the victim to the VIS. (See [DOC 1.8.2](#) for procedures.)

G. Offender Accountability Letters

The Department adopted *DOC 1.8.3 Offender Accountability Letters* in 2008 to provide a uniform process for supervised offenders to express remorse and personal responsibility to their victims. Officers are encouraged to assist offenders who wish to participate. Draft letters are screened by Department staff and returned to the offenders as needed for revisions. Appropriate letters are deposited in the Accountability Letter Bank in the VIS office, where victims can access them voluntarily. Unsolicited letters should not be sent to victims because they may cause further trauma and violate no-contact orders. The VIS provides technical support and letter screening assistance. (See [DOC 1.8.3](#) for procedures.)

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H. Victim Impact Panels (VIP)

The Department provides training and technical support to adult community corrections facilities and programs that wish to host VIPs as part of offender treatment/programming. VIPs typically include 2-3 victims who speak to a group of offenders about how they and their loved ones have been affected by crimes. Facility/program staff determines when a VIP is appropriate for the particular group of offenders. *DOC 1.8.4 Victim Impact Panels* will be established in the future.

I. Training

The Department VIS will provide victim services training to the Bureau. Training includes victim information requests, VINE and other notification procedures, victim sensitivity and staff communication skills, policy requirements and Department programs for victims.

IV. CLOSING:

Questions concerning this procedure shall be directed to the RA or designee.

Forms

P&P 10-4(A) Victim Registration Information
P&P 10-4(B) Victim Notification Form